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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/118,100	07/17/1998	HYE-YOUNG LEE	678-139(P841	8656

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EXAMINER

GARY, ERIKA A

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 03/26/2004

74

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/118,100

Applicant(s)

LEE, HYE-YOUNG

Examiner

Erika A. Gary

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-8,11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-8,11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Reply Brief, filed February 12, 2003, with respect to the rejection(s) of claim(s) 1 and 6 under Whitmore in view of Klausner have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Whitmore and Roberts, US Patent Number, 6,223,050.

Claim Objections

2. Claim 5 is objected to because of the following informalities: "said mobile cellular phone" should be "said mobile telephone". Appropriate correction is required.
3. Claim 7 is objected to because of the following informalities: "said step of setting a reference time" should be "said step of receiving a reference time". Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 5-8, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitmore, US Patent Number 6,108,277 (hereinafter Whitmore) in view of prior art made of record in the Office Action of paper number 18, Roberts, Jr., US Patent Number 6,223,050 (hereinafter Roberts).

Regarding claims 1 and 6, Whitmore discloses an apparatus (and method) for displaying local time information, comprising: means for storing Greenwich mean time (GMT) information for each of a plurality of cities; means for setting a reference time; means for counting a duration of time that elapses from when said reference time is set; means for selecting at least one of said plurality of cities and automatically calculating a local time of said selected city, said local time being based on a difference between the GMT of said selected city and the GMT of a present location of said apparatus, said reference time and said elapsed time; and means for outputting (and displaying) said local time [abstract; col. 8: lines 29-45].

What Whitmore does not specifically disclose is that the reference time is received from a signal received from a remote system. However, this limitation is taught by Roberts as will be discussed below.

Roberts discloses a system and method for automatically setting a remote timepiece with the correct time wherein the reference time is received from a signal received from a remote system [col. 4: lines 44-55].

Whitmore and Roberts are combinable because they are from the same field of endeavor, that is, displaying local time information. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Whitmore to include

Roberts. The motivation for this combination would have been to obtain the reference time information from an outside source to reduce the number of necessary components in the apparatus in order to reduce cost, size, and weight and further to avoid the need to use excess battery power to continually maintain the reference time information when the apparatus is deactivated. Roberts provides further motivation by stating that it would be more efficient and more accurate to automatically reset clocks with a reference time when power is interrupted or the time changes [col. 1: lines 42-46; col. 2: lines 43-49].

Regarding claims 2 and 11, Roberts discloses the apparatus is a mobile telephone [col. 7: lines 5-7; col. 5: lines 18-19].

Regarding claims 5 and 12, Roberts teaches the reference time is a system time acquired from a sync channel message received by the mobile phone from a base station of a CDMA cellular system [fig. 1; col. 6: lines 62-67; col. 8: lines 37-43].

Regarding claim 7, it is well known in the art to convey a message to set a reference time on a timepiece if a reference time is not set. It would have been obvious to include this feature to ensure that the correct time is ultimately displayed.

Regarding claim 8, Whitmore discloses the step of selecting includes the substeps of: displaying a list of said plurality of cities; and scrolling through said list to select a desired one of said plurality of cities [col. 8: lines 49-54].

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 703-308-0123. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, supervisor Marsha Banks-Harold can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Erika Gary
Primary Examiner


ERIKA GARY
PATENT EXAMINER

EAG
March 23, 2004



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